

**AMENDMENTS TO THE CLAIMS**

1           1.       (Currently Amended) A download system including (a) a receiving apparatus for  
2   receiving and executing a program and (b) a transmitting apparatus for transmitting the program  
3   to the receiving apparatus,

4                   the receiving apparatus comprising:

5                   information generating means for generating receiving apparatus information that  
6   indicates a use state of resources held by the receiving apparatus that are necessary for program  
7   executions, the use state indicating a current status of each resource being used and each resource  
8   not being used;

9                   request transmitting means for transmitting to the transmitting apparatus a  
10   download request which contains (a) an identification of a download-target program and (b) the  
11   generated receiving apparatus information; and

12                  program receiving means for receiving a program that is sent from the  
13   transmitting apparatus in response to the download request, and

14                  the transmitting apparatus comprising:

15                  program holding means for holding one or more programs and identifications  
16   thereof;

17                  resource information holding means for holding one or more pieces of resource  
18   information which correspond to the one or more programs on a one-to-one basis and each  
19   indicate resources necessary for an execution of a corresponding program;

20                  request receiving means for receiving the download request from the receiving  
21   apparatus;

22               judging means for judging, from (a) a piece of resource information  
23   corresponding to one of the one or more programs with the identification contained in the  
24   download request and (b) the receiving apparatus information contained in the download request,  
25   whether the receiving apparatus can execute the program with the identification by checking an  
26   amount of unused resource capability currently available; and

27               program transmitting means for not transmitting to the receiving apparatus the  
28   program with the identification when the judging means judges that the receiving apparatus can  
29   not execute the program.

1               2.       (Currently Amended) A download system including (a) a receiving apparatus for  
2   receiving and executing a program and (b) a transmitting apparatus for transmitting the program  
3   to the receiving apparatus,

4               the receiving apparatus comprising:

5               information generating means for generating receiving apparatus information that  
6   indicates a use state of resources held by the receiving apparatus that are necessary for program  
7   executions, the use state indicating a current status of each resource being used and each resource  
8   not being used;

9               request transmitting means for transmitting to the transmitting apparatus a  
10   download request which contains (a) an identification of a download-target program and (b) the  
11   generated receiving apparatus information; and

12              program receiving means for receiving a program that is sent from the  
13   transmitting apparatus in response to the download request, and

14              the transmitting apparatus comprising:

program holding means for holding a plurality of programs and identifications thereof, the plurality of programs achieving basically the same function and requiring resources that satisfy different conditions;

resource information holding means for holding a plurality of pieces of resource information which correspond to the plurality of programs on a one-to-one basis and each indicate resources necessary for an execution of a corresponding program;

request receiving means for receiving the download request from the receiving apparatus;

judging means for judging, from (a) two or more pieces of resource information corresponding to two or more programs that have the identification contained in the download request, among the plurality of programs and (b) the receiving apparatus information contained in the download request, whether the receiving apparatus can execute the two or more programs by checking an amount of unused resource capability currently available; and

program transmitting means for not transmitting to the receiving apparatus a program that the judging means judges the receiving apparatus can not execute.

3. (Original) The download system of Claim 2, wherein

when judging that the receiving apparatus can execute any of at least two programs among the two or more programs, the judging means selects one out of the at least two programs, and

the program transmitting means transmits the selected program to the receiving apparatus.

1           4.       (Original) The download system of Claim 2, wherein

2                   when the judging means judges that the receiving apparatus can execute any of at  
3       least two programs among the two or more programs, the program transmitting means transmits  
4       to the receiving apparatus at least two pieces of characteristic information that each indicate  
5       characteristics at an execution of a corresponding one of the at least two programs, receives a  
6       selection result which is sent from the receiving apparatus in response to the at least two pieces  
7       of characteristic information, and transmits a program corresponding to the selection result to the  
8       receiving apparatus, and

9                   the receiving apparatus further comprising:

10                  selection receiving means for presenting to a user the at least two pieces of  
11       characteristic information received from the program transmitting means, allowing the user to  
12       select one among the at least two pieces of characteristic information, and receiving a selection  
13       result from the user; and

14                  selection result notifying means for notifying the transmitting apparatus of the  
15       selection result.

1           5.       (Currently Amended) A download system including (a) a receiving apparatus for  
2       receiving and executing a program and (b) a transmitting apparatus for transmitting the program  
3       to the receiving apparatus,

4                   the transmitting apparatus comprising:

5                  program holding means for holding one or more programs and identifications  
6       thereof;

resource data holding means for holding one or more pieces of resource data which correspond to the one or more programs on a one-to-one basis and each define resources necessary for an execution of a corresponding program;

request receiving means for receiving either a resource data request or a program request from the receiving apparatus; and

transmitting means for either (a) reading from the resource data holding means a piece of resource data corresponding to an identification contained in the received resource data request and transmitting the read piece of resource data to the receiving apparatus, or (b) reading from the program holding means a program corresponding to an identification contained in the received program request, and transmitting the read program to the receiving apparatus, and

the receiving apparatus comprising:

first request transmitting means for transmitting to the transmitting apparatus the resource data request that contains the identification of a download-target program;

resource data receiving means for receiving the piece of resource data sent from the transmitting apparatus in response to the resource data request;

judging means for judging from the piece of resource data whether the receiving apparatus can execute the download-target program by checking an amount of unused resource capability currently available;

second request transmitting means for, when the judging means judges that the receiving apparatus can not execute the download-target program, not transmitting the program request containing the identification of the download-target program; and

program receiving means for receiving a program that is sent from the transmitting apparatus in response to the program request.

1           6.       (Original) The download system of Claim 5, wherein  
2                   the one or more pieces of resource data held by the resource data holding means  
3       are resource acquisition scripts used for acquiring resources necessary for executions of  
4       corresponding programs, and  
5                   the judging means judges from a result of a provisional execution of a resource  
6       acquisition script received from the transmitting apparatus whether the receiving apparatus can  
7       execute the download-target program.

1           7.       (Currently Amended) A download system including (a) a receiving apparatus for  
2       receiving and executing a program and (b) a transmitting apparatus for transmitting the program  
3       to the receiving apparatus,

4                   the transmitting apparatus comprising:

5                   program holding means for holding one or more programs and identifications  
6       thereof;

7                   check script holding means for holding one or more check scripts which  
8       correspond to the one or more programs and are each used to check whether the receiving  
9       apparatus has either of a device function and an embedded-program function that is necessary for  
10      an execution of a corresponding program;

11                  request receiving means for receiving either a check script request or a program  
12      request from the receiving apparatus; and

13                  transmitting means for either (a) reading from the check script holding means a  
14      check script corresponding to an identification contained in the received check script request and  
15      transmitting the read check script to the receiving apparatus, or (b) reading from the program

16 holding means a program corresponding to an identification contained in the received program  
17 request, and transmitting the read program to the receiving apparatus, and  
18 the receiving apparatus comprising:  
19 first request transmitting means for transmitting to the transmitting apparatus the  
20 check script request that contains the identification of a download-target program;  
21 check script receiving means for receiving the check script sent from the  
22 transmitting apparatus in response to the check script request;  
23 judging means for judging from a result of an execution of the received check  
24 script whether the receiving apparatus can execute the download-target program;  
25 second request transmitting means for, when the judging means judges that the  
26 receiving apparatus can not execute the download-target program, not transmitting the program  
27 request containing the identification of the download-target program; and  
28 program receiving means for receiving a program that is sent from the  
29 transmitting apparatus in response to the program request.

1 8. (Cancelled)

1 9. (Cancelled)

1 10. (Currently Amended) A receiving apparatus for receiving and executing a  
2 program in a download system which also includes a transmitting apparatus for transmitting the  
3 program to the receiving apparatus, the receiving apparatus comprising:  
4 first request transmitting means for transmitting to the transmitting apparatus the  
5 resource data request that contains the identification of a download-target program;

resource data receiving means for receiving the piece of resource data sent from the transmitting apparatus in response to the resource data request;

judging means for judging from the piece of resource data whether the receiving apparatus can execute the download-target program by checking an amount of unused resource capability currently available;

second request transmitting means for, when the judging means judges that the receiving apparatus can not execute the download-target program, not transmitting the program request containing the identification of the download-target program; and

program receiving means for receiving a program that is sent from the transmitting apparatus in response to the program request.

11. (Original) The receiving apparatus of Claim 10, wherein

the piece of resource data received by the resource data receiving means is a resource acquisition script used for acquiring resources necessary for an execution of a corresponding program, and

the judging means judges from a result of a provisional execution of the resource acquisition script received from the transmitting apparatus whether the receiving apparatus can execute the download-target program.

12. (Currently Amended) A receiving apparatus for receiving and executing a program in a download system which also includes a transmitting apparatus for transmitting the program to the receiving apparatus, the receiving apparatus comprising:

first request transmitting means for transmitting to the transmitting apparatus a check script request that contains an identification of a download-target program;



6 check script receiving means for receiving a check script sent from the  
7 transmitting apparatus in response to the check script request;

8 judging means for judging from a result of an execution of the received check  
9 script whether the receiving apparatus can execute the download-target program;

10 second request transmitting means for, when the judging means judges that the  
11 receiving apparatus can not execute the download-target program, not transmitting the program  
12 request containing the identification of the download-target program; and

13 program receiving means for receiving a program that is sent from the  
14 transmitting apparatus in response to the program request.

1 13. (Currently Amended) A transmitting apparatus that transmits a program to a  
2 receiving apparatus that receives and executes the program, the transmitting apparatus and the  
3 receiving apparatus being included in a download system, the transmitting apparatus comprising:

4 program holding means for holding one or more programs and identifications  
5 thereof;

6 resource information holding means for holding one or more pieces of resource  
7 information which correspond to the one or more programs on a one-to-one basis and each  
8 indicate resources necessary for an execution of a corresponding program;

9 request receiving means for receiving a download request from the receiving  
10 apparatus;

11 judging means for judging, from (a) a piece of resource information  
12 corresponding to one of the one or more programs with an identification contained in the  
13 download request and (b) receiving apparatus information contained in the download request,

14 , whether the receiving apparatus can execute the program with the identification by checking an  
15 amount of unused resource capability currently available; and  
16 program transmitting means for not transmitting to the receiving apparatus the  
17 program with the identification when the judging means judges that the receiving apparatus can  
18 not execute the program.

1 14. (Currently Amended) A transmitting apparatus that transmits a program to a  
2 receiving apparatus that receives and executes the program, the transmitting apparatus and the  
3 receiving apparatus being included in a download system, the transmitting apparatus comprising:  
4 program holding means for holding a plurality of programs and identifications  
5 thereof, the plurality of programs achieving basically the same function and requiring resources  
6 that satisfy different conditions;  
7 resource information holding means for holding a plurality of pieces of resource  
8 information which correspond to the plurality of programs on a one-to-one basis and each  
9 indicate resources necessary for an execution of a corresponding program;  
10 request receiving means for receiving a download request from the receiving  
11 apparatus;  
12 judging means for judging, from (a) two or more pieces of resource information  
13 corresponding to two or more programs that have an identification contained in the download  
14 request, among the plurality of programs and (b) receiving apparatus information contained in  
15 the download request, whether the receiving apparatus can execute the two or more programs,  
16 and when judging that the receiving apparatus can execute any of at least two programs among

17 the two or more programs by checking an amount of unused resource capability currently  
18 available, selecting one out of the at least two programs; and

19 program transmitting means for not transmitting to the receiving apparatus the  
20 program with the identification when the judging means judges that the receiving apparatus can  
21 not execute any of at least two programs selected by the judging means to the receiving  
22 apparatus.

1 15. (Cancelled)

1 16. (Cancelled)

1 17. (Cancelled)